

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff

v.

KEVIN TRUDEAU, SHOP AMERICA
(USA), LLC, ROBERT BAREFOOT, and
DEONNA ENTERPRISES, INC.,

Defendant.

Civ. No. 03C 3904

Judge Norgle
Magistrate Judge Bobrick

DOCKETED
JUN 20 2003

FILED

JUN 09 2003
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

NOTICE OF MOTION

PLEASE TAKE NOTICE that on Friday June 13, 2003, at the hour of 10:30 a.m., or as soon thereafter as counsel may be heard, the undersigned will appear before The Honorable Judge Norgle or before any other judge sitting in his/her stead in the courtroom usually occupied by him/her in Room 2341 in the Dirksen Federal Building, at 219 South Dearborn Street, Chicago, Illinois, and present the attached **Motion for Temporary Restraining Order with Appointment of a Temporary Receiver, Asset Freeze, Accounting and Order to Show Cause Why a Preliminary Injunction Should Not Issue as to Defendants and Motion to File Memorandum in Excess of 15 Pages**, a copy of which is hereby served upon you. Notice will be provided as set forth in the Declaration of Notice of Plaintiff's Counsel filed herein.

Dated: June 9, 2003

FEDERAL TRADE COMMISSION

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ATTORNEYS FOR PLAINTIFF

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**PLAINTIFF'S MOTION FOR TEMPORARY RESTRAINING ORDER WITH
APPOINTMENT OF A TEMPORARY RECEIVER, ASSET FREEZE, ACCOUNTING
AND ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD
NOT ISSUE AS TO DEFENDANTS**

Plaintiff Federal Trade Commission ("Commission" or "FTC"), pursuant to Fed. R. Civ. P. 65(b), respectfully moves this Court for a noticed Temporary Restraining Order ("TRO"). As grounds for this motion, the Commission states that defendants have engaged in deceptive acts or practices and false advertising in connection with the advertising, marketing and sale of Coral Calcium Supreme in violation of Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52 as set forth in the complaint, memorandum, and exhibits in support of this motion.

The proposed TRO would temporarily:

1. restrain defendants from violating Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52 through their advertising and marketing of Coral Calcium Supreme;
2. appoint a temporary receiver over corporate defendant Shop America (USA), LLC;
3. freeze the assets of defendants Kevin Trudeau and Robert Barefoot and restrict defendants Deonna Enterprise and Shop America's ability to dissipate assets;

CD

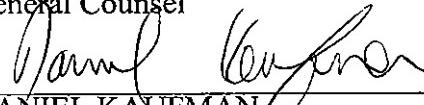
4. require defendants to repatriate any off-shore assets;
5. permit expedited discovery as to the nature, location, status, and extent of assets, the location and identification of relevant documents, and other matters relating to monitoring defendants' compliance with the temporary restraining order; and
6. require defendants to show cause why a preliminary injunction should not issue, extending the foregoing temporary relief until the merits of the Commission's allegations are finally adjudicated.

Accompanying this motion, and filed herewith, are a supporting memorandum, declarations and exhibits in support thereof, a proposed temporary restraining order and a declaration of counsel setting forth how notice of this motion will be provided.

Dated: June 9, 2003

FEDERAL TRADE COMMISSION

WILLIAM E. KOVACIC
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